**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE K.M.JOSEPH**

**THURSDAY, THE 18TH JANUARY 2007 / 28TH PAUSHA 1928**

**WP(C).No. 32059 of 2006(N)**
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**PETITIONER:**
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**PRATHEEP. M., S/O.MOHANAN,**
**`MALIYAM', KODUMUNDA POST,**
**PATTAMBI, OTTAPALAM TALUK.**

**BY ADV. SRI.E.R.VENKATESWARAN**
**SRI.R.SREEHARI**

**RESPONDENTS:**
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**1. UNIVERSITY OF CALICUT REPRESENTED**
**BY ITS REGISTRAR, CALICUT UNIVERSITY POST.**

**2. THE CONTROLLER OF EXAMINATIONS,**
**CALICUT UNIVERSITY, CALICUT UNIVERSITY POST.**

**BY ADV. SHRI P.C. SASIDHARAN, SC.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**K. M. JOSEPH, J.**

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**W.P.C. NO. 32059 OF 2006 N**

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**Dated this the 18th January, 2007**

**JUDGMENT**

Case of petitioner, in brief, is as follows:

Petitioner completed M.A. (English) Post Graduation Course from the college affiliated to first respondent University in the year 1998. He passed out in M.A.(English) previous examinations as well as M.A.(English) final year Degree examination. But, he was only awarded pass marks. Therefore, he has applied for revaluation of certain papers in both the years as per Ext.P3 and paid the fees as evidenced by Ext.P3(a). On enquiry, he was informed that there is a ban ordered by this Court in respect of revaluation and in spite of repeated requests, it was not published. But, it is stated that because there is a lapse of seven years, it is not stated that re-valuation cannot be done. Petitioner sought for permission to appear in respect of the said papers and that is also not allowed. Prayers are therefore to direct publishing of the result of revaluation of the

papers and if not possible, to allow him to appear for the examination in respect of the very same papers.

2. In the Statement filed, it is, inter alia, stated as follows:

As far as the prayer for revaluation is concerned, at the relevant time, there was no revaluation for the PG Course which is clarified in OP No.14707/98, and that every candidate similarly situated was treated equally and none of the applications submitted by other candidates were entertained by the University. Regarding the plea for re-appearance, it is stated that in terms of the Rules and Regulations, a candidate who re-appears under the Scheme after completion of the Course, shall do so within one year. As the petitioner completed the Course as early as in 1998, he cannot be permitted to re-appear for the said examination at this distance of time.

3. However, learned counsel appearing on behalf of the respondent University would submit that it is open to petitioner to approach the Students Grievance Cell in the University and submit a representation in which case it may be open to the

Students Grievance Cell to deal with the case of the petitioner. It is submitted by counsel for petitioner that as an amnesty some cases were considered and it is stated that in another similar case also, the student was permitted to re-appear. These are all matters which the petitioner can place before the Students Grievance Cell and it is for the Students Grievance Cell to take a decision in the matter. Accordingly, the Writ Petition is disposed of relegating the petitioner to approach the Students Grievance Cell and if the petitioner approaches the Students Grievance Cell, certainly a decision shall be taken without any undue delay.

The Writ Petition is disposed of as above.

**K. M. JOSEPH, JUDGE**

kbk.